

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
STEVEN GOLDSTEIN, et al.,

Plaintiffs,

*-against-*

KATHY HOCHUL, et al.,

Defendants.

**SUPPLEMENTAL  
DECLARATION OF  
MEIR ORNSTEIN**

Index No: 22-CV-8300 (VLS)

-----X  
I, Meir Ornstein, declare as follows in response to the factual questions raised in this Court's Order dated October 27, 2022 and during the October 28, 2022 show cause hearing. This Court's questions are presented in bold, and my responses follow:

1. **When did Plaintiff Ornstein obtain his license to carry a concealed handgun?**

Response: I obtained my license in 2009.

2. **Prior to obtaining his firearm license, did Plaintiff Ornstein attend or participate in religious activities at Congregation Zemach David of Dinev, and if yes, how frequently?**

Response: No. Prior to obtaining my firearm license in 2009, I did not attend or participate in religious activities at Congregation Zemach David of Dinev.

3. **How frequently did Plaintiff Ornstein attend Congregation Zemach David of Dinev ("Congregation Zemach") prior to September 1, 2022?**

Response: Prior to September 1, 2022, I attended the synagogue of Zemach David several times a week.

4. **After Plaintiff Ornstein obtained his firearm license and prior to September 1, 2022, how frequently did Plaintiff Ornstein carry his firearm in Congregation Zemach?**

Response: After obtaining my firearm license and prior to September 1, 2022, I always carried my firearm in and around Congregation Zemach.

5. **After Plaintiff Ornstein obtained his firearm license and after September 1, 2022, how frequently did Plaintiff Ornstein carry his firearm in Congregation Zemach?**

Response: I assert the Fifth Amendment in response to this question.

6. **How frequently has Plaintiff Ornstein attend[ed] Congregation Zemach after September 1, 2022?**

Response: Since September 1, 2022, I have attended the physical shul of Congregation Zemach approximately once a week.

7. **How frequently did Plaintiff Ornstein attend other shuls prior to September 1, 2022?**

Response: Prior to September 1, 2022, I attended the synagogues of other shuls approximately one to two times a week.

8. **After Plaintiff Ornstein obtained his firearm license and prior to September 1, 2022, how frequently did Plaintiff Ornstein carry his firearm in other shuls?**

Response: After I obtained my firearm license and prior to September 1, 2022, I always carried my firearm when I attended other shuls.

9. **After Plaintiff Ornstein obtained his firearm license and after September 1, 2022, how frequently did Plaintiff Ornstein carry his firearm in other shuls?**

Response: I assert the Fifth Amendment in response to this question.

10. **When did Congregation Zemach open?**

Response: Congregation Zemach was established prior to 2012.

11. **When did Plaintiff Ornstein begin attending Congregation Zemach?**

Response: I began attending after I moved to the immediate area in 2012.

12. **Since Plaintiff Ornstein obtained a license to carry a firearm, has he gone to any other places of worship other than Congregation Zemach?**

Response: Yes.



13. **If so, did he carry a firearm?**

Response: Yes. I always carried a firearm on my person before September 1, 2022.

14. **Since Plaintiff Ornstein obtained a license to carry a firearm, does he carry a gun whenever he leaves his home?**

Response: Between 2009, when I obtained my license to carry a firearm, and September 1, 2022, I regularly carried my firearm wherever I went. Since September 1, 2022, I no longer do.

15. **If not, why not?**

Response: Because I fear criminal prosecution for engaging in “religious observation” or being arrested for carrying a firearm in what may be considered a “place of worship.”

**Questions Posed by the Court at the Show Cause Hearing<sup>1</sup>**

16. **Has there been any police presence at your shul for security?**

Response: No.

17. **Has Congregation Zemach David ever hired outside security?**

Response: Not to my knowledge.

18. **How many adult members are there, approximately, in the Zemach David congregation?**

Response: I do not know. I believe there are approximately 75 to 90 adult members.

19. **Does Plaintiff Ornstein have firearms licenses in any other state jurisdictions? How many and which ones?**

Response: I have carry licenses in Connecticut, Arizona, Utah, Florida and Pennsylvania.

---

<sup>1</sup> This declaration was prepared without the benefit of the transcript of the show cause hearing. The questions included herein are based off plaintiffs’ counsels’ handwritten notes.

20. **Please produce color photo copies of the same.**

Response: True and accurate color copies of my licenses are annexed hereto as Exhibit 1.

21. **Did Plaintiff Orenstein have a carry license in the previous area he lived?**

Response: Yes.

22. **Did Plaintiff Ornstein carry a firearm to shul at that location?**

Response: Yes.

23. **Did Congregation Zemach know that Plaintiff Ornstein carried a firearm?**

Response: Yes. I refer this Court to the Declaration of Rabbi Mendel Rubin that was filed in support of the application for a temporary restraining order and preliminary injunction (ECF. No. 6-5).

24. **Did Plaintiff Ornstein seek permission to carry that firearm on the premises of Congregation Zemach?**

Response: See Response to Question 23, above.

25. **How many in Congregation Zemach carried firearms prior to September 1, 2022 and how does Plaintiff Ornstein know?**

Response: I do not know the exact number. From word of mouth, I believe at least three people carried firearms before September 1, 2022.

26. **If others carried firearms at Congregation Zemach before September 1, 2022, did they seek permission to do so?**

Response: I do not know.

THE REST OF THIS PAGE INTENTIONALLY LEFT BLANK

I declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct. A copy of my signature, sent electronically or by facsimile transmission, may be treated as the original for the purpose of serving and filing this declaration, and the original will be provided if required.

Executed this 01 day of NOVEMBER, 2022

  
\_\_\_\_\_  
Meir Ornstein